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REMARKS

Claims 5, 14, 15, 21 and 22 have been amended and Claims 7, 16 and 23 have been cancelled. Claims 5, 6, 8-15, 17-22 and 24 remain in the application. No new matter is added by the amendments to the claims.

In the Final Office Action dated November 12, 2003, Paper No. 10, the Examiner rejected Claims 5, 8, 11-13 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,347,681 issued to Patmont et al. The Examiner also rejected Claims 6, 9, 15, 17, 19-20, and 22 under 32 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,095,274 issued to Patmont et al.

The Examiner stated that Claims 7, 10 14, 16, 18, 21 and 23-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant amended Claim 5 to include the subject matter of cancelled Claim 7. Applicant rewrote Claim 14 in independent form. Applicant amended Claim 15 to include the subject matter of cancelled Claim 16. Applicant rewrote Claim 21 in independent form. Applicant amended Claim 22 to include the subject matter of cancelled Claim 23. In view of the Examiner's indication of allowability, Applicant believes that Claims 5, 6, 8-15, 17-22 and 24 are allowable.

The Examiner stated that the prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. According to the Examiner: U.S. Patent No. 6,609,584 issued to Patmont et al. teaches a scooter; U.S. Patent No. 6,431,302 issued to Patmont et al. teaches a scooter; U.S. Patent No. 6,279,929 issued to Fruechtenicht teaches a surfing scooter; McGreen teaches a collapsible scooter (no patent issued to McGreen was identified); U.S. Patent No. 5,775,452 issued to Patmont teaches an electric scooter; U.S. Patent No. 5,388,659 issued to Pepe teaches a motorized scooter; U.S. Patent No. 6,619,679 issued to Lan teaches a scooter frame; U.S. Patent No. 6,345,678 issued to Chang teaches a scooter; and U.S. Patent No. 6,179,307 issued to Mao teaches a skateboard vehicle. Applicant has reviewed these references and found them to be no more pertinent than the prior art relied upon by the Examiner in his rejections.

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In view of the amendments to the claims and the above arguments, Applicant believes that the claims of record now define patentable subject matter over the art of record. Accordingly, an early Notice of Allowance is respectfully requested.

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